

## Message Text

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51

ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 R

DRAFTED BY S/CCT: RAFEAREY:NWH

APPROVED BY S/CCT: RAFEAREY

NEA :SSOBER

L/SFP - MR. FIELDS

EA:MR. GLEYSTEN

P - MR. SISCO

M - MR. EAGLEBURGER

/S :REWOODS

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O 091747Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY TRIPOLI IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

AMEMBASSY KUALA LUMPUR IMMEDIATE

INFO AMEMBASSY STOCKHOLM IMMEDIATE

C O N F I D E N T I A L STATE 189196

EXDIS

E.O. 11652: GDS

TAGS: PINS

SUBJECT: JRA TERRORISTS

REF: TRIPOLI 889

1. AS REFTEL RECOGNIZES, EFFORTS TO COMBAT INTERNATIONAL  
TERRORISM RELY HEAVILY ON APPREHENSION AND PUNISHMENT OF  
TERRORISTS. DEPARTMENT INTENDS EVERY APPROPRIATE ACTION  
TO THIS END IN KUALA LUMPUR CASE.

2. WE NEVERTHELESS SEE SEVERAL DIFFICULTIES WITH APPROACH  
RECOMMENDED REFTEL. SINCE JAL PLANE WAS NOT TAKEN OVER BY  
HIJACKERS BUT ARRIVED IN LIBYA UNDER CONTROL OF ITS CREW,  
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IT WOULD NOT FALL UNDER TOKYO OR HAGUE ANTI-HIJACKING CON-

VENTIONS. MONTREAL CONVENTION RELATES TO SABOTAGE OF AIR-CRAFT OR THREATS TO AIR SAFETY AND IS THEREFORE ALSO IN-APPLICABLE IN THIS CASE. FURTHER, EMBASSY TRIPOLI'S A-4, FEBRUARY 7, 1975 "LIBYAN LAW AND POLICY CONCERNING INTERNATIONAL TERRORISM," STATES THAT "LARG POLICY TOWARD TERRORISM IS NOT CONTROLLED BY LEGAL TEXTS BUT BY ARGUMENTS OF POLITICAL NECESSITY." THIS TENDS TO CONFIRM OUR IMPRESSION THAT THERE IS LITTLE OR NO POSSIBILITY OF PROSECUTION OF JAPANESE TERRORISTS IN LIBYA.

3. HOPE FOR PROSECUTION AND PUNISHMENT OF THE FIVE TERRORISTS WHO SEIZED OUR EMBASSY IN KUALA LUMPUR, AND EVEN MORE, THE FIVE WHO WERE BROUGHT FROM JAPAN, THUS APPEARS TO REST ON EXTRADITION REQUESTS BY MALAYSIAN AND JAPANESE GOVERNMENTS. MALAYSIAN REQUEST WOULD PRESUMABLY PERTAIN TO THE FIVE WHO PERPETRATED THE TERRORIST CRIME IN MALAYSIA, WHILE JAPANESE REQUESTS WOULD RELATE TO ALL TEN, BUT PARTICULARLY TO THE FIVE BROUGHT FROM CONFINEMENT IN JAPAN. USG WILL WISH TO SUPPORT SUCH REQUESTS WITH LARG BY WHATEVER MEANS, AND TO WHATEVER EXTENT, EMBASSY TRIPOLI CONSIDERS IS LIKELY TO BE HELPFUL.

4. FOR EMBASSIES KUALA LUMPUR AND TOKYO: REQUEST ANY INFORMATION YOU MAY HAVE REGARDING HOST GOVERNMENT'S EXTRADITION PLANS, WITH YOUR VIEWS AND COMMENTS FOR POSSIBLE USG SUPPORTIVE ACTION.

5. FOR EMBASSY TRIPOLI: REQUEST ANY INFORMATION YOU MAY HAVE REGARDING LARG'S INTENTIONS TOWARD JAPANESE TERRORISTS. YOUR A-4 IMPLIES THERE IS VERY LITTLE POSSIBILITY OF LARG'S ACCEDING TO EXTRADITION REQUESTS, MUCH LESS PROSECUTING TERRORISTS UNDER LIBYAN LAW. HOWEVER, COULD EMBASSY SUGGEST ANY POLITICAL CONDITIONS OR SENSITIVITIES WHICH MIGHT BE HELPFUL TO JAPANESE AND/OR MALAYSIAN INITIATIVES TO OBTAIN THESE TERRORISTS FOR PROSECUTION IN THOSE COUNTRIES? KISSINGER

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
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**Control Number:** n/a  
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**Disposition Case Number:** n/a  
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**Subject:** JRA TERRORISTS  
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**To:** TRIPOLI KUALA LUMPUR  
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